

ORIGINAL

COVINGTON & BURLING

EX PARTE OR LATE FILED

1201 PENNSYLVANIA AVENUE NW  
WASHINGTON DC 20004 2401  
TEL 202 662 6000  
FAX 202 662 6291  
WWW COV COM

WASHINGTON  
NEW YORK  
SAN FRANCISCO  
LONDON  
BRUSSELS

RACHEL C WELCH  
TEL 202 662 5277  
FAX 202 778 5277  
RWELCH@COV.COM

November 14, 2002

RECEIVED

VIA HAND DELIVERY

NOV 14 2002

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: Ex Parte. CC Docket Nos. 99-273; 92-105 ; 92-237

Dear Ms. Dortch:

On November 13, 2002, Lois Pines of InfoNXX, Inc. and Gerry Waldron and the undersigned of Covington & Burling met with Gregory Cooke, Rodney McDonald of the Wireline Competition Bureau and Louise Klees-Wallace of the Telecommunications Access Policy Division. Addressed at the meeting were issues raised in the above-captioned dockets. Specifically, that the activation of 555 numbers, coupled with the withdrawal of 411 and 555-1212, is the best option to ensure robust competition in wireline retail directory assistance market. We also discussed certain procedural issues in implementing a 555 solution, including the issue of "golden numbers." The attached presentation was distributed at the meeting.

This notice and two copies are being filed pursuant to Section 1.1206(b) of the Commission's rules. Please do not hesitate to contact me with any questions concerning this matter.

Sincerely,



Rachel C. Welch

Enclosure

cc: Gregory Cooke  
Rodney McDonald  
Louise Klees-Wallace

# **FCC Retail DA Proceeding**

## **Who Is InfoNXX?**

InfoNXX is the leading competitive directory assistance provider in the **U.S.**, providing contract DA services for wireless and competitive networks.

InfoNXX pioneered “call completion” service that not only provides a number in response to a DA call but also connects the caller directly to the number.

InfoNXX provides movie listings for local theatres, restaurant reservations, and other information in addition to providing telephone numbers.

InfoNXX uses live operators and provides higher quality service than other DA providers.

# FCC Retail DA Proceeding

## **Competitive Retail DA Service - The Time Is Now**

- The U.K. Model
  - In September 2001, Oftel ordered the withdrawal of the DA default codes 192 (national) 153 (international) by August 2003.
  - Oftel introduced new access codes (118XXX) for all DA providers, which were awarded via lottery in May 2002.
  - InfoNXX is investing millions of dollars in the UK retail DA market and will compete against other DA providers beginning in December 2002.
- Background:
  - Oftel conducted consumer studies and found that consumers were ambivalent to the default codes.
  - Oftel determined that introducing a new sequence for all DA providers was the only way to successfully promote competition in the retail DA market.

## **FCC Retail DA Proceeding**

### **Retail DA Competition In The U.S.**

- Implementation of 555 numbers for retail DA competition is the best way to jump-start competition in the retail DA market.
- Elimination of the US default codes – 41I & 555-1212 – is a prerequisite to competition.
- Consumers will readily adapt to using 555 numbers. They are already familiar with the use of 555 numbers for information services.
- ILECs already route 555 numbers – therefore, a 555 solution would not be administratively or technically burdensome.
- Eight years ago, the Commission adopted a decision that entities other than LECs should be able to use national and regional 555 numbers.

# **FCC Retail DA Proceeding**

## **411 Presubscription and Other DA Proposals** **Will Not Result in Competitive Benefits**

- 411 Presubscription:
  - Imposes significant technical and administrative burdens on LECs, competitive providers and consumers.
  - Is expensive and time-consuming.
  - Preserves much of the incumbent provider's advantage in the retail DA market.
- Other DA Proposals:
  - 411XX/411XXX. This proposal attempts to preserve some vestige of 411, but would result in consumer confusion and require more education than 555 implementation. In addition, this option would be more difficult to implement because 5-digit and 6-digit numbers are not a standard string in the U.S.
  - Carrier Access Codes (101XXXX). This proposal also would cause consumer confusion because 101XXXX numbers are associated with "dial around" long distance services. Use of CACs potentially would exclude business users from the retail DA market because many PBXs are programmed to block 101XXXX numbers.